

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CLAYTON E. BUTSCH,

Petitioner,

v.

JASON BENNETT,

Respondent.

CASE NO. C24-0482JLR-BAT

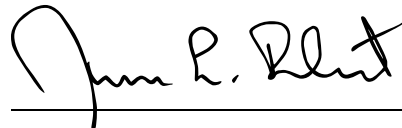
ORDER

Before the court are (1) *pro se* Petitioner Clayton E. Butsch’s motion for leave to proceed *in forma pauperis* (“IFP”) (IFP Mot. (Dkt. # 1)) and (2) United States Magistrate Judge Brian A. Tsuchida’s report and recommendation recommending that the court deny Mr. Butsch’s IFP motion (R&R (Dkt. # 4)).¹ Having carefully reviewed the foregoing

¹ Although the report and recommendation states that Mr. Butsch is permitted to file objections by no later than April 29, 2024 (*see id.* at 2), the Ninth Circuit has held that a plaintiff is not entitled to submit written objections to a Magistrate Judge’s report and recommendation that IFP status should be denied, *Minetti v. Port of Seattle*, 152 F.3d 1113, 1114 (9th Cir. 1998). Accordingly, the court will not afford Mr. Butsch an opportunity to object to the instant report and recommendation.

1 documents, the supporting materials, and the governing law, the court ADOPTS the
2 report and recommendation (Dkt. # 4) and DENIES Mr. Butsch's motion for leave to
3 proceed IFP (Dkt. # 1). Mr. Butsch shall pay the usual \$5.00 filing fee by no later than
4 **April 30, 2024**. If he fails to do so, this matter will be dismissed without prejudice.

5 Dated this 16th day of April, 2024.

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8 JAMES L. ROBART
9 United States District Judge
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